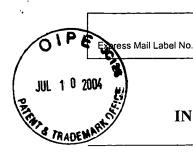
01-12-05

IFW/



Dated: _____

Docket No.: 05408/100M675-US1 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jacob Guth et al.

Application No.: 10/812,746

Filed: March 29, 2004

For: TOPICAL L-CARNITINE COMPOSITIONS

Confirmation No.: 5468

Art Unit: 1614

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed June 9, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), Assignment, Assignment Recordation Form, Petition for Extension of Time and Part 2 Copy of Notice.

01/14/2005 WASFAW1 00000052 10812746

02 FC:1051 03 FC:1001

130.00 OP

Docket No.: 05408/100M675-US1

Application No.: 10/812,746

Our check in the amount of \$3,120.00 covering the fees set forth in 37 CFR 1.16(a) and 1.17(a) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

2

Dated: January 10, 2005

Respectfully submitted,

Jay P. Lessler

Registration No.: 41,15

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant

PTO/SB/17 (12-04v2)
Approved for use through 7/31/2006. OMB 0651-0032 rademark Office; U.S. DEPARTMENT OF COMMERCE ormation unless it displays a valid OMB control number.

Fee Description Each claim over 20 (including Reissues) Each independent claims over 3 (including Reissues) Multiple dependent claims Total Claims 19 -20 =	der the Paperwork R	eduction Act	of 1995, no person	are requi	red to respond to a co	ellection of i	nformation unless it d	isplays a valid	OMB control n
Application Number 10/812,7485-Conf. #3468 FEE TRANS MITTAL Filling Date March 29, 2004 March 29, 2004 March 29, 2004 Filling Date March 29, 2004				Complete if Known					
FEE TRANSMITTAL For FY 2005 Applicant daims small entity status. See 37 CFR 1.27 TOTAL AMOUNT OF PAYMENT (\$) 3,080.00 Attorney Docket No. 05408/100M675-US1 METHOD OF PAYMENT (check all that apply) X Check Credit Card Money Order None Other (please identify): Deposit Account Deposit Account Number: 04-0100 Deposit Account Name: Darby & Darby & Darby P.C. For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge any additional fee(s) or underpayment of Ee(s) under 37 CFR 1.16 and 1.17 FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES Small Entity Application Type Fee (\$) Pee (\$) Fee (\$) F	of the parsuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).			Application Nun	Application Number		10/812,746-Conf. #5468		
First Named Inventor Jacob Guth Examiner Name Not Yet Assigned	FEE TRANSMITTAL						04		
Application Type Fee (s) Fee (
METHOD OF PAYMENT (check all that apply) X Check		-	_		Examiner Name	Examiner Name Not Yet Assigned		ned	
METHOD OF PAYMENT (check all that apply) X Check Credit Card Money Order None Other (please identify): Deposit Account Deposit Depos			See 37 CFR 1.27	'	74t Onit				
Check	TOTAL AMOUNT OF PAYN	IENT	(\$) 3,080.00	0	Attorney Docket	No.	05408/100M6	75-US1	
Deposit Account Deposit Account Number 04-0100 Deposit Account Name: Darby & Darby P.C. For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below. Charge fee(s) indicated below, except for the filin X: Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES SEARCH FEES SEARCH FEES SEARCH FEES Small Entity Application Type Fee (\$)	METHOD OF PAYMENT	(check all	that apply)						
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below Charge fee(s) indicated below, except for the filin Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES FILING FEES Small Entity Application Type Fee (\$) Fee (\$	X Check Credit Ca	X Check Credit Card Money Order None Other (please identify):							
Charge fee(s) indicated below	Deposit Account D	eposit Accoun	Number: 04-0	100	_ Deposit Account Na	me:	Darby & D	arby P.C.	
Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 It is considered by the fee(s) under 37 CFR 1.16 and 1.17 It is considered by the fee(s) under 37 CFR 1.16 and 1.17 It is considered by the fee(s) under 37 CFR 1.16 and 1.17 It is considered by the fee(s) under 37 CFR 1.16 and 1.17 It is considered by the fee(s) under 37 CFR 1.15(e), the application to fee(s) under 37 CFR 1.15(e), the application is considered by the fee(s) under 37 CFR 1.15(e), the application is considered by the fee(s) under 50 cons	For the above-identif	ied deposit	account, the Di	rector is	hereby authorize	ed to: (ch	eck all that apply))	
Test Sunder 37 CFR 1.16 and 1.17 SEE SEE SEE SEARCH SEE	Charge fee(s) i	ndicated be	elow		Charge	e fee(s) ir	ndicated below, e	xcept for th	ne filing fee
FEE CALCULATION	Charge any address under 3	ditional fee	(s) or underpayr and 1,17	nent of	x Credit	any over	payments		
Application Type						12.0			
Application Type	1. BASIC FILING, SEARCH,	AND EXA	MINATION FEE						
Application Type		FILIN		SE		EXAMI			
Design 200 100 100 50 130 65	Application Type	Fee (\$)		Fee (\$) <u>Fee (\$)</u>	Fee (\$)		Fees P	aid (\$)
Plant	Utility	300	150	500	250	200	100	790	0.00
Reissue	Design	200	100	100	50	130	65		
Provisional 200 100 0 0 0 0 0 2. EXCESS CLAIM FEES Fee Description Each claim over 20 (including Reissues) 50 Each independent claims 50 Multiple dependent claims 60 Total Claims 60 19 -20 =	Plant	200	100	300	150	160	80		
2. EXCESS CLAIM FEES Fee Description Each claim over 20 (including Reissues) Each independent claims over 3 (including Reissues) Each independent claims Total Claims 19 - 20 =	Reissue	300	150	500	250	600	300		
Fee (\$) Fee (\$) Fee (\$) Fee Cach claim over 20 (including Reissues) Each independent claim over 3 (including Reissues) Multiple dependent claims Total Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Fee (\$) Fee Paid (\$) Indep. Claims Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) Indep. Claims Indep. Clai	Provisional	200	100	0	0	0	0		
Each claim over 20 (including Reissues) Each independent claim over 3 (including Reissues) Multiple dependent claims Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims 19 - 20 =	2. EXCESS CLAIM FEES								Small Entity
Each independent claim over 3 (including Reissues) Multiple dependent claims Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Extra Claims Fee (\$) Fee Paid (\$) APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$2.50 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) Fee Paid (\$) Surcharge-Late filing fee (\$130); Extension fee 1051 (2,160); Registration No. 41 151 Telephone (212) 527-776									<u>Fee (\$)</u>
Multiple dependent claims Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims Fee (\$) Fee Paid (\$) Indep. Claims Extra Claims Extra Claims Fee (\$) Fee Paid (\$) APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) Total Sheets Fee Paid (\$) Cround up to a whole number) x Fees Paid (\$) Surcharge-Late filing fee (\$130); Extension fee 1051 (2,160); Registration No. 41 151 Telephone (212) 527-776	1	_							25
Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims	•	r 3 (includi	ng Reissues)						100
Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) 2 -3 =	Multiple dependent claims								180
Indep. Claims	<u>Total Claims</u> Extra C	laims	Fee (\$)	Fee F	Paid (\$)	<u> </u>			
3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets	19 20 =	× -	=	-		<u> </u>	ee (\$)	Fee Paid (\$)
3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets	Indep. Claims Extra C	laims	Fee (\$)	Fee F	Paid (\$)				_
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets	2 -3=	× _	=						
sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof (round up to a whole number) x Extra Sheets Number of each additional 50 or fraction thereof (round up to a whole number) x Extra Sheets Number of each additional 50 or fraction thereof (round up to a whole number) x Extra Sheets Number of each additional 50 or fraction thereof (round up to a whole number) x Extra Sheets Fee Paid (sheet) Surcharge-Late filing fee (\$130); Extension fee 1051 (2,160); Extension No. 41 151 Telephone (212) 527-776	If the specification and drav	wings exce	ed 100 sheets o	f paper	(excluding electr	onically	filed sequence or	computer	_
Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) - 100 = /50 (round up to a whole number) x = 4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): Surcharge-Late filing fee (\$130); Extension fee 1051 (2,160); SUBMITTED BY Registration No. 41 151 Telephone (212) 527-776	listings under 37 CFR 1.	.52(e)), the	application size	e fee du G) and	ie is \$250 (\$125 f 37 CFR 1 16(e)	tor small	entity) for each a	idditional 50	J
4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): Surcharge-Late filing fee (\$130); Extension fee 1051 (2,160); SUBMITTED BY Registration No. 41 151 Telephone (212) 527-776	Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)								
Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): Surcharge-Late filing fee (\$130); Extension fee 1051 (2,160); SUBMITTED BY Registration No. 41 151 Telephone (212) 527-776									
Other (e.g., late filing surcharge): Surcharge-Late filing fee (\$130); Extension fee 1051 (2,160); SUBMITTED BY Registration No. 41 151 Telephone (212) 527-776		- ¢120 f	o (no small ont	itu dica	ount)			rees	raiu (\$)
SUBMITTED BY Registration No. 41 151 Telephone (212) 527-776	$0 - 1 - 1 - 1 = 0$ (0400). Fixewise for $\frac{1}{2} = \frac{170}{12} = \frac{1}{2} = $								
Registration No. 41 151 Telephone (212) 527-776									
Registration No. 41 151 Telephone (212) 527-776	SUBMITTED BY								
/ (Attorney/Agent)		1. VI				41,151	Telephone	(212) 52	7-7765
Name (Print/Type) Jay P. Lessler January 10, 20	7/	sler	/		(vaccine)/Agent)			<u> </u>	
			/		 			<u>-</u>	<u> </u>

{W:\05408\100m675us1\003		
Express Mail Label No.	Dated:	

10/812,746-Conf. #5468

05408/100M675-US1

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application Number Application Number

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Filing Date March 29, 2004 First Named Inventor Jacob Guth Art Unit 1614 Examiner Name Not Yet Assigned Attorney Docket Number

ENCLOSURES (Check all that apply)				
X Fee Transmittal Form	Drawing(s)	After Allowance Communication to TC		
X Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences		
Amendment/Reply	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
After Final	Petition to Convert to a Provisional Application	Proprietary Information		
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address	Status Letter		
X Extension of Time Request	Terminal Disclaimer	X Other Enclosure(s) (please Identify below):		
Express Abandonment Request	Request for Refund	Combined Declaration and Power of Attorney		
Information Disclosure Statement	CD, Number of CD(s)	Filing Fee for the Application (as shown on accompanying Fee		
Certified Copy of Priority Document(s)	Landscape Table on CD	Transmittal) Assignment & Recordation form Part 2 Copy of Notice; check Return Receipt Postcard		
X Reply to Missing Parts/ Incomplete Application Remarks				
Reply to Missing Parts under 37 CFR 1.52 or 1.53				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm Name DARBY & DARBY F	DARBY & DARBY P.C.			
Signature				
Printed name Jay P. Lessler				
Date January 10, 2005	Reg. No.	41,151		

Express Mail Label No.	Dated:	

pplication No. (if known): 10/812,746

Attorney Docket No.: 05408/100M675-US1

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. in an envelope addressed to:

EV 382054964 W

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on January 10, 2005

J. Sto	antini
Şignatu X	tantini
Typed or printed name of pe	rson signing Certificate
Registration Number, if applicable	Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify

each submitted paper.

Response to File Notice of Missing Parts (2 pages)

Transmittal Form (1 page)

Combined Declaration and Power of Attorney (4 pages)

Fee Transmittal (1 page)

Petition for Extension of Time (5 months)

Check in the amount of \$3,080.00

Postcard